

court a libel praying seizure and condemnation of two barrels of crab meat at Baltimore, Md., consigned by C. T. Slaughter, Morattico, Va., alleging that the article had been shipped in interstate commerce on or about August 6, 1935, from Morattico, Va., into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance.

On August 30, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24761. Adulteration of packing-stock butter. U. S. v. 22 Barrels of Packing-Stock Butter. Default decree of condemnation and destruction.** (F. & D. no. 35261. Sample no. 25595-B.)

This case involved a shipment of packing-stock butter that contained filth.

On February 19, 1935, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 22 barrels of packing-stock butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about February 11, 1935, by the Ablon Produce Co., from Dallas, Tex., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance.

On May 3, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24762. Adulteration of canned sardines. U. S. v. 45 Cases of Canned Sardines. Default decree of condemnation and destruction.** (F. & D. no. 35290. Sample no. 22895-B.)

This case involved a shipment of canned sardines which contained lead in an amount that might have rendered them injurious to health.

On March 21, 1935, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 45 cases of canned sardines at Green Bay, Wis., alleging that the article had been shipped in interstate commerce on or about July 3, 1934, by the Booth Fisheries Sardine Co.; from Eastport, Maine, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Booth Red Diamond Brand Maine Sardines in Mustard Sauce Packed by Booth Fisheries Company Eastport, Maine."

The article was alleged to be adulterated in that it contained an added poisonous and deleterious ingredient, lead, which might have rendered it injurious to health.

On May 27, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24763. Misbranding of alleged olive oil. U. S. v. 25 Cans of Alleged Olive Oil. Default decree of condemnation and destruction.** (F. & D. no. 35304. Sample no. 26021-B.)

This case involved a product consisting of artificially flavored domestic cottonseed oil containing little or no olive oil, which was labeled to convey the impression that it was olive oil.

On March 27, 1935, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 cans of alleged olive oil at Manchester, N. H., alleging that the article had been shipped in interstate commerce on or about July 25, 1934, by D. A. Previte, from Boston, Mass., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Corona Pure Olive Oil \* \* \* Corona Brand."

The article was alleged to be misbranded in that the following statements on the label, (main panels) "Puro Olivo d' Oliva. Produced in Italy Qualita' Superiore Garantita \* \* \* Pure Olive Oil Produced in Italy Quality Extra Guaranteed"; (side panels) "Il nostro olio di oliva e' garantito di essere assolutamente puro e superiore a qualunque altro sul mercato. Il grasso-

vegetable e' piu' salutare del grasso animale. \* \* \* Non mangiate grasso animale ma usate piu' del nostro olio di oliva. Questo olio e' prodotto da olivi scelti con cura e lo raccomandiamo per uso familiare e medicinale: \* \* \* Our olive oil is guaranteed to be absolutely pure and superior to any on the market. Vegetable fat is healthier than animal fat. Give up animal fat at once and eat more of our olive oil \* \* \* This olive oil is produced from carefully selected olives and is especially recommended for medicinal purposes", were false and misleading and tended to deceive and mislead the purchaser, since the product was not olive oil, but was artificially flavored domestic cottonseed oil containing little or no olive oil.

On May 9, 1935, no claimant having appeared judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24764. Adulteration of frozen eggs. U. S. v. 108 Cans of Frozen Eggs. Decree of condemnation. Product released under bond. (F. & D. no. 35306. Sample no. 23745-B.)**

This case involved a shipment of frozen eggs which were in part decomposed.

On March 27, 1935, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 108 cans of frozen eggs at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about May 12, 1934, by Swift & Co., from Chicago, Ill., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

Swift & Co. appeared as claimant and filed an answer averring that a large portion of the product was fit for human consumption. On May 13, 1935, judgment of condemnation was entered as of April 13, 1935. The decree provided that the product be released under bond and that only the good eggs be disposed of for human consumption.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24765. Adulteration of olives. U. S. v. 25 Boxes, et al., of Olives. Decrees of condemnation and destruction. (F. & D. nos. 35313, 35314, 35315, 35378 to 35381, incl. Sample nos. 13010-B, 21182-B, 21183-B, 21184-B, 30109-B to 30112-B, incl.)**

Examination of the olives involved in these cases showed a dried, slimy deposit in the creases which consisted of a miscellaneous mixture of dirt, yeast, and bacteria. In certain lots a large proportion also were moldy.

On March 29 and April 15, 1935, the United States attorney for the Eastern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 393 boxes of olives at Brooklyn, N. Y. On April 15 and April 16, 1935, libels were filed against 37 boxes of olives at Jersey City, N. J., and 44 boxes at New York, N. Y. The libels charged that the article had been shipped in interstate commerce on or about February 6, 1935, by the Riverbank Canning Co., from Riverbank, Calif., and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part: "Olive Nere Secche Speciale Preparazione \* \* \* Calif. Olive Products Co. Reedley, Calif."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy, decomposed, or putrid vegetable substance.

On May 13, May 16, and July 13, 1935, all parties in interest having defaulted or consented to the destruction of the property, judgments of condemnation were entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

**24766. Adulteration of frozen shrimp. U. S. v. 35 Blocks, et al., of Frozen Shrimp. Default decrees of condemnation and destruction. (F. & D. nos. 35324, 35325, 35403. Sample nos. 21671-B, 21701-B, 21704-B.)**

These cases involved frozen shrimp which was wholly or in part decomposed.

On March 14, March 21, and March 28, 1935, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 96 blocks, 10 pounds each, and 2 boxes containing 304 pounds of frozen shrimp, at New York, N. Y., alleging that the article had been shipped in interstate commerce in various shipments on or about September 13, September 15, September 29, and October 2, 1934, by D. H. Ward, S. E. Willis, Dave Adams,